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ABSTRACT

This monograph briefly describes state legislation and administrative rules concerning competency-based education. Defeated legislation is also included. In 1978-79 California, Nevada, and New York are requiring graduating seniors to pass a proficiency exam before receiving a diploma. In Nevada and New York similar exams are administered to determine student promotion. Nine states use a statewide proficiency exam as an indicator of student progress and the need for remedial classes. Alaska, Colorado, and Missouri have an optional exam. Eleven states, including Oregon, require that minimum competency standards be developed to measure students' progress. A chart details the activities of all the states in competency standards development and competency testing. Included in the appendix are the titles of the legislation cited in the chart and the full text of a congressional bill to establish a National Commission on Basic Education to review state plans and set standards. (Author/JM)

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RESEARCH MONOGRAPH

MINIMUM COMPETENCY LEGISLATION IN THE FIFTY STATES

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MINIMUM COMPETENCY LEGISLATION IN THE FIFTY STATES

(77:192)

The Legislative Research Office was requested by the Interim Task Force on Minimum Competencies/Graduation Requirements to report on the activities of other states in the area of competency-based education. This monograph, prepared with the assistance of the Education Commission of the States, briefly describes legislation and administrative rules which are in effect in the 50 states. Legislation which was defeated is also included. A list of bills cited is included in the appendix.

MINIMUM COMPETENCY TESTING

Testing required for graduation. Beginning with the 1978-79 school year, three states, CALIFORNIA, NEVADA, and NEW YORK, will require graduating high school students to pass a proficiency exam before receiving a diploma. In NEVADA the exam is also administered at the end of grades 6 and 9 and passage is required for promotion to the next grade. In addition to the new graduation exam, NEW YORK has the previously established Regents' exam in all academic subjects which determine promotion above the 9th grade level. The CALIFORNIA exam has no effect on grade promotion. CONNECTICUT passed a proficiency exam bill in 1976 that has not been implemented because of a lack of funding.

In three other states (ALABAMA, GEORGIA, and OHIO), the state board of education has formally recommended that the receipt of a high school diploma be contingent on passing a statewide proficiency exam.

Testing as an indicator. Several states use a statewide proficiency exam as an indicator of students' progress and the need for remedial classes. COLORADO law requires that "the results of tests shall be used by school districts to design regular or special classes to meet the needs of all children as indicated by overall test results." The FLORIDA program is intended to "test students' basic skills in grades 3, 5, 8, and 11 . . . to improve the state system of education by identifying needs." GEORGIA, MICHIGAN, NEW MEXICO, VIRGINIA, and WASHINGTON also have developed tests, or required school districts to develop tests, to be used as indicators of how students are mastering minimum competencies. CALIFORNIA and NEW YORK have a program to test students' progress in basic skills separate from the testing required for promotion and graduation.

Testing required by legislative action or by administrative rule. Half of the states which have adopted a proficiency exam have done so by legislative mandate. The remainder have been established by administrative rules of the states' boards of education. The DELAWARE board of education has adopted an exam but, unlike the other states, it is entirely separate from its competency-based education program.

Testing optional to local districts. ALASKA, COLORADO, and MISSOURI have established a proficiency exam that is optional to the local school districts. MISSOURI, however, will make theirs mandatory in 1978-79.

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Testing legislation defeated in 1977. Legislation, introduced during the 1977 session that would have mandated some form of proficiency testing was defeated in 14 states. FLORIDA and MICHIGAN legislatures defeated bills which would have required passing an exam for graduation. Both states currently use testing as an indicator.

BASIC COMPETENCIES

Development of basic competency standards. Eleven states, including OREGON, require that minimum competency standards be developed to measure students' progress. In all states, except OREGON, the competencies are developed at the state level. OREGON permits each school district to develop its own standards. IDAHO permits a school district the option of adopting the competencies. In MARYLAND the minimum competencies are a basis for promotion.

Competency legislation defeated in 1977. During the 1977 session, legislation to establish minimum competency standards failed in 8 states.

Further study. Committees, commissions, and task forces have been established in 22 states to study the issue of minimum competency and graduation requirements. Some states are studying the issue for the first time, whereas others such as OREGON are reviewing current procedures.

The following chart details the activities of the 50 states in the areas just discussed. Legislation cited in the chart is included in the appendix.

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MINIMUM COMPETENCY ACTIVITY IN THE FIFTY STATES

	TESTING REQUIRED FOR GRADUATION/ PROMOTION	TESTING USED AS AN INDICATOR	TESTING ESTABLISHED BY STATUTE	TESTING ESTABLISHED BY ADMINISTRATIVE RULE	TESTING OPTIONAL TO DISTRICTS	TESTING LEGISLATION FAILED	BOARD OF EDUCATION DEVELOPS COMPETENCIES	COMPETENCY LEGISLATION FAILED	FURTHER STUDY
ALABAMA								x	
ALASKA				x	x				x
ARIZONA						x	x		
ARKANSAS						x			
CALIFORNIA	x	x	x						x
COLORADO		x	x		x				
CONNECTICUT	x(1)								x
DELAWARE				x(2)			x		
FLORIDA		x	x			x(3)			
GEORGIA		x		x			x		x
HAWAII									x
IDAHO						x	x(4)		
ILLINOIS						x			x
INDIANA									x
IOWA						x			
KANSAS						x		x	
KENTUCKY							x		x
LOUISIANA							x		
MAINE						x			
MARYLAND							x(5)		
MASSACHUSETTS						x		x	x
MICHIGAN		x		x		x		x	
MINNESOTA								x	x
MISSISSIPPI						x			x
MISSOURI				x	x(6)				
MONTANA									
NEBRASKA							x		x
NEVADA	x		x						x
NEW HAMPSHIRE									x
NEW JERSEY							x		x

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	TESTING REQUIRED FOR GRADUATION/ PROMOTION	TESTING USED AS AN INDICATOR	TESTING ESTABLISHED BY STATUTE	TESTING ESTABLISHED BY ADMINISTRATIVE RULE	TESTING OPTIONAL TO DISTRICTS	TESTING LEGISLATION FAILED	BOARD OF EDUCATION DEVELOPS COMPETENCIES	COMPETENCY LEGISLATION FAILED	FURTHER STUDY
NEW MEXICO		x		x					
NEW YORK	x	x		x					
NORTH CAROLINA						x			
NORTH DAKOTA						x		x	
OHIO									
OKLAHOMA									x
OREGON							x(7)		x
PENNSYLVANIA								x	x
RHODE ISLAND									x
S. CAROLINA						x			x
S. DAKOTA									
TENNESSEE									x
TEXAS								x	
UTAH									
VERMONT							x		
VIRGINIA		x	x						
WASHINGTON		x	x						
W. VIRGINIA									
WISCONSIN									x
WYOMING									

[1]Legislation to require testing was passed by the legislature but was not implemented for lack of funding.

[2]Testing programs are not part of competency education program.

[3]Testing as a graduation requirement failed.

[4]Districts have option to adopt proficiency program.

[5]Minimum competency as a basis for promotion.

[6]Testing program becomes mandatory in 1978-79.

[7]Competencies are developed by local districts.

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APPENDIX

(Bills refer to 1977 session unless otherwise indicated)

ALABAMA - SB 79

ARIZONA - SB 1138, H 2160

ARKANSAS - HB 609

CALIFORNIA - Chapter 473 (1976 session) and Chapter 856 (1976 session). SB 1731, AB 2559, AB 357, ACR 195

COLORADO - (CRS 22-32-109.5)

CONNECTICUT - HB 5839, HB 5836, HB 5837 (1976 session)

FLORIDA - FS 229.814, HB 203, SB 600, CSSB 338

IDAHO - SB 1390

ILLINOIS - SB 1574, SB 1575 (1976 session), HB 1364, HB 486, HB 1745, SB 238

IOWA - SF 252, HF 590

KANSAS - SB 406 (1976 session), HB 2139, SB 268

LOUISIANA - Act 709 (1976 session), HB 275

MAINE - LD 734, LD 1810

MARYLAND - MAC 77-980, HB 1462

MASSACHUSETTS - H. 3248

MICHIGAN - HB 6379, SB 1608

MINNESOTA - HF 44, HF 118

MISSISSIPPI - HB 952, SB 2295, SB 2423

NEVADA - AB 400, AB 293, SB 204, SB 324, SCR 14

NEW JERSEY - Chapter 97 (1976 session)

NORTH CAROLINA - S 80, S 81

NORTH DAKOTA - H. 1460, H. 1429

OHIO - H.B. 6

PENNSYLVANIA - HB 770 (1976 session), HB 669

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SOUTH CAROLINA - H. 2053

TEXAS - HB 312

VIRGINIA - HB 256

WASHINGTON - SB 3026, HB 1345 (1976 session), SB 2886, ESHB 960

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APPENDIX II

Legislation Pending Before Congress

Representative Ronald Mottl (D-Ohio) has introduced H.R. 6088 amending Title VIII of the Elementary and Secondary Education Act requiring states to establish a program of basic educational proficiency standards before they can receive federal funds under this Act. The bill also establishes a National Commission on Basic Education to review state plans and set standards. Because passage of this bill would have an impact on Oregon and the other states, the full text of the bill is inlcuded.

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95TH CONGRESS
1ST SESSION

H. R. 6088

IN THE HOUSE OF REPRESENTATIVES

APRIL 5, 1977

Mr. MOTTL introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Elementary and Secondary Education Act of 1965 to require State educational agencies to establish basic standards of educational proficiency applicable to secondary school students.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title VIII of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 881 et seq.) is amended by adding at the end thereof the following new section:

"BASIC EDUCATIONAL STANDARDS

"SEC. 813. (a) (1) No application made by a State educational agency for assistance under this Act may be con-

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sidered unless the State educational agency making such application provides assurances that such State educational agency will establish and implement basic standards of educational proficiency in accordance with the plan of such State educational agency approved under subsection (b) (4) or in accordance with applicable Federal standards. Such standards shall include the administration of a reading, writing, and mathematics proficiency examination, in accordance with the provisions of this section, to each student enrolled in secondary schools in the State involved.

"(2) Such examination shall be administered to a student during the academic year preceding the academic year during which such student completes the requirements necessary for graduation from secondary school. If such student fails to achieve a passing grade in such examination, such student shall be given an opportunity to take such examination during the following academic year.

"(3) A passing grade in such examination shall be a requirement necessary for graduation from secondary school. A local educational agency may not certify the graduation of any student who has not achieved a passing grade in such examination.

"(4) Such examination shall be designed to test proficiency in writing skills, reading and comprehension, and mathematics skills and comprehension. Such examination

shall emphasize testing the ability of a student to use and understand language and to read with facility and understanding.

"(b) (1) There is hereby established a commission to be known as the National Commission on Basic Education (hereinafter in this section referred to as the 'Commission').

"(2) The Commission shall be composed of fifteen members as follows:

"(A) three appointed by the President from among individuals serving on State boards of education;

"(B) three appointed by the President from among individuals serving on local boards of education;

"(C) three appointed by the President from among persons employed as teachers in secondary school systems; and

"(D) six appointed by the President from members of the general public.

"(3) Members of the Commission shall serve without pay. While away from their homes or regular places of business, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

"(4) The Commission shall—

"(A) establish basic standards of educational pro-

ficiency designed to evaluate the reading, writing, and mathematics skills of secondary school students;

"(B) review plans submitted by State educational agencies for the establishment of standards in conformity with the basic standards established by the Commission under subparagraph (A); and

"(C) determine whether to approve plans submitted by State educational agencies under this paragraph.

"(5) Each State agency which desires to receive assistance under this Act shall submit the plan referred to in paragraph (4) (B) no later than two years after the effective date of this section. The Commission shall complete its review of all such plans no later than three years after such effective date.

"(6) The Commission shall transmit a report to the President and to the Congress, no later than three years after the effective date of this section, which contains a detailed statement of the activities of the Commission under this section. The Commission shall cease to exist thirty days after the transmission of such report. The Commissioner of Education shall be responsible for the administration of the provisions of this section after the termination of the existence of the Commission.

"(c) In any case in which the Commission disapproves

a plan submitted by a State educational agency under subsection (b) (4) (B), the basic standards established by the Commission under subsection (b) (4) (A) shall be placed in effect in the State involved if such State desires to receive assistance under this Act.

"(d) The Commission may award grants to State educational agencies, in such amounts as the Commission considers necessary, during the two-year period following the effective date of this section to assist such State educational agencies in preparing basic standards to be submitted to the Commission under subsection (b) (4) (B).".